

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DURIM ISUFI and ENVER KILLOGJERI, individually and on behalf of all other persons similarly situated who were employed by PROMETAL CONSTRUCTION, INC., with respect to certain Public Works Projects awarded by: THE CITY OF NEW YORK, THE NEW YORK CITY HOUSING AUTHORITY,

Plaintiffs,

- against -

PROMETAL CONSTRUCTION, INC. and STV
CONSTRUCTION, INC.,

Defendants.

EDNY Docket No.
12-CV-5225 (JBW)(RLM)

New York County Supreme
Index No. 653265/2012

**NOTICE OF
MOTION TO REMAND**

PLEASE TAKE NOTICE that upon the annexed Declaration of Lloyd R. Ambinder, sworn to on October 24, 2012, and all exhibits attached thereto, and upon all prior pleadings and proceedings herein, the undersigned will move this Court before the Honorable Jack B. Weinstein, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, 11201, on a return date set by the Court, for an Order (1) remanding this matter to the Supreme Court for the State of New York, New York County, (2) awarding Plaintiffs the costs and disbursements incurred by reason of the removal proceedings, and (3) together with such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b) of the United States District Court for the Eastern District of New York, answering papers, if any, are to be served so as to be received by the undersigned no later than seven (7) days prior to the return date of the within motion once set by the Court.

Dated: New York, New York
October 24, 2012

VIRGINIA & AMBINDER, LLP

/s/

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